

**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 11, 2004**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Elizabeth Keaton, Page.

**Approval of Journal**

February 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

February 10, 2004

Mr. Speaker:

I return herewith **H 566** which has passed the Senate.

WOOD, Secretary

**H 566** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

February 11, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 16, H 633, H 634, H 635, H 636, H 637, H 638, H 639, H 640, H 641, H 642, H 643, H 644, H 645, H 646, H 647, and H 648.**

FIELD(18), Chairman

**HJM 16** and **H 646** were referred to the Health and Welfare Committee.

**H 633, H 634, H 635, H 636, and H 637** were referred to the Resources and Conservation Committee.

**H 638** and **H 639** were referred to the Commerce and Human Resources Committee.

**H 640, H 641, H 642, H 643, and H 644** were referred to the Judiciary, Rules, and Administration Committee.

**H 645** and **H 647** were referred to the State Affairs Committee.

**H 648** was filed for second reading.

February 10, 2004

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 536** and recommend that it do pass.

CROW, Chairman

**H 536** was filed for second reading.

February 10, 2004

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1222** and **S 1223** and recommend that they do pass.

BARRETT, Chairman

**S 1222** and **S 1223** were filed for second reading.

February 10, 2004

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 549** and recommend that it do pass.

JONES, Chairman

**H 549** was filed for second reading.

February 10, 2004

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **HJM 15** and recommend that it do pass.

WOOD, Chairman

**HJM 15** was filed for second reading.

February 10, 2004

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, report that we have had under consideration **H 611** and recommend that it do pass.

RAYBOULD, Chairman

**H 611** was filed for second reading.

February 11, 2004

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 627** and recommend that it do pass.

SALI, Chairman

**H 627** was filed for second reading.

February 11, 2004

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 624, H 596, H 608, and S 1214** and recommend that they do pass.

DEAL, Chairman

**H 624, H 596, H 608, and S 1214** were filed for second reading.

February 11, 2004

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 601 and H 610** and recommend that they do pass.

CROW, Chairman

**H 601 and H 610** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

#### **HOUSE CONCURRENT RESOLUTION NO. 40 BY ENVIRONMENTAL AFFAIRS COMMITTEE**

##### **A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING IDAHO CITIZENS TO REDUCE, REUSE AND RECYCLE HOUSEHOLD HAZARDOUS WASTE AND ELECTRONIC WASTE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, one of Idaho's greatest treasures is the exceptional environment that we share; and

WHEREAS, the proper management of waste is key to preserving our environment and strengthening our economy; and

WHEREAS, the proper management of household hazardous waste containing heavy metals and manmade constituents can help protect water supplies and our environment; and

WHEREAS, a U.S. Environmental Protection Agency report dated May 11, 2001, states that approximately 3.2 million tons of electronic waste ends up in United States landfills each year, and that 250 million computers will become obsolete in the next five years; and

WHEREAS, reducing and recycling household hazardous waste and electronic waste can conserve our nation's resources; and

WHEREAS, proper waste diversion can conserve Idaho's landfill space.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that all Idaho citizens are hereby encouraged to reduce, reuse and recycle household hazardous waste and electronic waste.

#### **HOUSE CONCURRENT RESOLUTION NO. 41 BY HEALTH AND WELFARE COMMITTEE** **A CONCURRENT RESOLUTION**

STATING LEGISLATIVE FINDINGS AND PROVIDING THAT THE DEPARTMENT OF HEALTH AND WELFARE SHALL NEGOTIATE AND IMPLEMENT A PROCESS FOR THE REVIEW OF MEDICAID REIMBURSEMENT RATES WITH PROVIDERS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the cost of living in Idaho has risen in excess of three percent per year in recent years; and

WHEREAS, the annual budget allocations to Medicaid allow only cost-of-living adjustments to certain Medicaid contractors or providers, but do not allow for such adjustments to providers of case management, service coordination, mental health and developmental disability service providers; and

WHEREAS, the state employees, including the employees of the Department of Health and Welfare, who administer the state's Medicaid Program have received periodic pay increases in ten of the last thirteen years equaling a total of 34.4%; and

WHEREAS, private Medicaid providers of case management, service coordination, mental health and developmental disability services have been granted only two cost-of-living adjustments to their rates in the past thirteen years, totaling only 6.5%; and

WHEREAS, private providers of case management, service coordination, mental health and developmental disability related services continue to experience great difficulties in recruiting and retaining qualified individuals as a result of the providers' inability to offer competitive pay and benefits to employees; and

WHEREAS, there is no defined methodology upon which Medicaid providers may rely in this state for establishment of, or the periodic review of reimbursement rates; and

WHEREAS, it is the desire of the Legislature of the State of Idaho to ensure that contractors and providers of Medicaid services be afforded the opportunity to enter into good faith discussion and review of rates and service expectation on at least an annual basis with the Department of Health and Welfare and officials administering the Medicaid Program.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare shall negotiate a process and implement a methodology under which the review of service expectations, and the review of reimbursement rates for case management, service coordination, developmental disability services and mental health related services shall be reviewed with the specific provider groups associated with the provision of such services, and renegotiated when necessary, on not less than an annual basis. Such methodology must result in a written summary of findings, which would justify whatever action or inaction may result from such a review.

BE IT FURTHER RESOLVED that the Department of Health and Welfare shall issue an annual report to both the Senate and the House of Representatives indicating the progress made in complying with this Concurrent Resolution.

**HOUSE JOINT MEMORIAL NO. 17  
BY HEALTH AND WELFARE COMMITTEE**

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, current federal and state medical assistance expenditures for long-term care services in Idaho exceed \$145.7 million annually, with the state's annual share at approximately \$43.7 million; and

WHEREAS, skyrocketing costs of providing care to persons who need assistance to meet daily needs have hit the middle class particularly hard; and

WHEREAS, the national average cost for nursing home care is approximately \$50,000 per year; and

WHEREAS, costs to the state of Idaho will rise on account of increasing demands for services as our population ages; and

WHEREAS, the purpose of the long-term care partnership program is to provide incentives to individuals to purchase long-term care insurance, and consequently to relieve the financial burdens on the states when they assume payment for the long-term care needs of their citizens under the Medicaid program by allowing individuals who exhaust qualified private long-term care policy benefits to protect an equivalent value of assets and still satisfy Medicaid's financial eligibility requirements; and

WHEREAS, the concept of long-term care partnership results in private insurance paying first and government paying last; and

WHEREAS, the four states that have had partnership plans for almost a decade, specifically California, Connecticut, Indiana and New York, have experienced significant savings to taxpayers, and have seen less than 100 total partnership purchasers qualify for Medicaid; and

WHEREAS, American citizens in 46 states, the District of Columbia and territories of the United States are being discriminated against by not being able to enjoy the benefits provided by long-term care partnership plans due to a restriction present in Section 1917(b)(1)(C) of the Social Security Act (49 Stat. 620, 42 U.S.C. 1396p(b)(1)(C)) which has discouraged additional states from enacting long-term care partnership programs by effectively removing the major incentive for individuals to participate.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the United States Congress to amend Section 1917(b)(1)(C) of the Social Security Act (49 Stat. 620, 42 U.S.C. 1396p(b)(1)(C)) by deleting May 14, 1993, as the deadline for approval by states of long-term care partnership plans, thus affording states throughout the nation the ability to give their citizens the same rights to participate in those types of plans.

BE IT FURTHER RESOLVED that the Chief Clerk of the

House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 40, HCR 41, and HJM 17** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 649  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO THE OCCUPANCY TAX; AMENDING SECTION 63-317, IDAHO CODE, TO PROVIDE THAT NEW MANUFACTURED HOUSING SHALL NOT BE SUBJECT TO PROPERTY TAXATION DURING THE FIRST YEAR OF OCCUPANCY IF OCCUPIED AFTER JANUARY 1, TO DEFINE "NEW MANUFACTURED HOUSING," TO PROVIDE FOR THE OCCUPANCY TAX TO BE LEVIED ON NEW MANUFACTURED HOUSING AND TO PROVIDE A REQUIREMENT FOR THE OWNER OF NEW MANUFACTURED HOUSING TO REPORT TO THE COUNTY ASSESSOR THAT THE NEW MANUFACTURED HOUSING HAS BEEN OCCUPIED; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 650  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO TRANSFER OF REAL PROPERTY; AMENDING CHAPTER 3, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-307A, IDAHO CODE, TO PROVIDE A STATEMENT OF INTENT, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A REPORT OF TRANSFERS AND CHANGE IN OWNERSHIP RECORDS, TO PROVIDE FOR A PROPERTY TRANSFER CERTIFICATE, TO PROVIDE FOR EXEMPTIONS FROM DISCLOSURE OF VALUE, TO PROHIBIT DISCLOSURE OF INFORMATION AND TO PROVIDE PENALTIES; AND AMENDING SECTION 9-340D, IDAHO CODE, TO EXEMPT FROM DISCLOSURE PROPERTY TRANSFER CERTIFICATES FILED PURSUANT TO SECTION 63-307A, IDAHO CODE.

**HOUSE BILL NO. 651  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO INCOME TAX CREDITS FOR NEW EMPLOYEES; AMENDING SECTION 63-3029F, IDAHO CODE, TO PROVIDE THAT IN THE CASE OF CERTAIN NEW EMPLOYEES EARNING AN AVERAGE OF FIFTEEN DOLLARS AND FIFTY CENTS PER HOUR AND ELIGIBLE FOR EMPLOYER PROVIDED HEALTH AND ACCIDENT COVERAGE THE STATE INCOME TAX CREDIT SHALL BE

ONE THOUSAND DOLLARS PER EMPLOYEE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 652**  
**BY LOCAL GOVERNMENT COMMITTEE**  
AN ACT

RELATING TO STATUES AND MONUMENTS; AMENDING CHAPTER 41, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4131, IDAHO CODE, TO PROVIDE A REBUTTABLE PRESUMPTION THAT CERTAIN STATUES AND MONUMENTS HAVE HISTORICAL SIGNIFICANCE AND VALUE, TO PROVIDE FOR APPROVAL BY THE BOARD OF TRUSTEES OF THE IDAHO STATE HISTORICAL SOCIETY PRIOR TO MOVEMENT OR REMOVAL OF STATUES AND MONUMENTS HAVING HISTORICAL SIGNIFICANCE AND VALUE, TO PROVIDE FOR CERTAIN PETITIONS, TO PROVIDE FINDINGS UPON WHICH MOVEMENT OR REMOVAL OF CERTAIN STATUES OR MONUMENTS MAY BE APPROVED AND TO REQUIRE THE ATTORNEY GENERAL OF THE STATE OF IDAHO TO PROVIDE REPRESENTATION ON BEHALF OF POLITICAL SUBDIVISIONS UNDER CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 653**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
AN ACT

RELATING TO DOMESTIC CERVIDAE; AMENDING THE HEADING FOR CHAPTER 35, TITLE 25, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994; AMENDING SECTION 25-3501, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO PROVIDE THAT DOMESTIC CERVIDAE MAY BE OWNED, CONTROLLED OR HELD IN CAPTIVITY FOR CERTAIN PURPOSES ON FARMS OR RANCHES THAT HAVE BEEN REGISTERED WITH THE DIVISION OF ANIMAL INDUSTRIES, TO PROVIDE FOR THE HARVESTING OF DOMESTIC CERVIDAE AND TO AUTHORIZE CERTAIN ACTIVITY RELATING TO DOMESTIC CERVIDAE FOR THE AGENTS OF PRODUCERS; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3703A, IDAHO CODE, TO PROVIDE FOR OFFICIAL PERMANENT IDENTIFICATION FOR DOMESTIC CERVIDAE; AMENDING SECTION 25-3504, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION, TO AUTHORIZE THE ADMINISTRATOR OF THE DIVISION OF ANIMAL INDUSTRIES TO MAKE, PROMULGATE AND ENFORCE RULES RELATING TO THE REGISTRATION OF DOMESTIC CERVIDAE FARMS AND RANCHES AND TO ENFORCE SPECIFIED PROVISIONS OF LAW; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3705A, IDAHO CODE, TO SET FORTH CERTAIN DUTIES OF OWNERS AND OPERATORS OF DOMESTIC CERVIDAE FARMS AND RANCHES, TO AUTHORIZE THE DIVISION OF ANIMAL

INDUSTRIES OR ITS AGENTS TO TAKE CERTAIN ACTIONS RELATING TO THE ESCAPE OF DOMESTIC CERVIDAE FROM FARMS OR RANCHES, TO PROVIDE FOR THE TAKING OF DOMESTIC CERVIDAE BY LICENSED HUNTERS UNDER SPECIFIED CONDITIONS AND TO PROVIDE AN EXCEPTION TO LIABILITY FOR SUCH TAKING; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3705B, IDAHO CODE, TO PROVIDE FOR WILD UNGULATES; AMENDING SECTION 25-3508, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 73, LAWS OF 1994, TO REDESIGNATE THE SECTION AND TO REVISE FEE PROVISIONS; AND AMENDING SECTION 36-701, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**HOUSE BILL NO. 654**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO SINGLE COUNTYWIDE HIGHWAY DISTRICTS; AMENDING CHAPTER 14, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1418, IDAHO CODE, TO PROVIDE FOR DISSOLUTION OF EXISTING SINGLE COUNTYWIDE HIGHWAY DISTRICTS; AND AMENDING SECTION 40-1801, IDAHO CODE, TO PROVIDE THAT THE SECTION SHALL NOT APPLY TO SINGLE COUNTYWIDE HIGHWAY DISTRICTS AND TO PROVIDE APPLICATION TO A SINGLE COUNTYWIDE HIGHWAY DISTRICT.

**HOUSE BILL NO. 655**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
AN ACT

RELATING TO THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL; AMENDING SECTION 40-717, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-717A, IDAHO CODE, TO CREATE THE LOCAL HIGHWAY ECONOMIC INVESTMENT FUND, TO PROVIDE MONEYS FOR THE FUND FROM INCREASES IN MOTOR VEHICLE CERTIFICATE OF TITLE FEES, TO PROVIDE FOR APPORTIONMENT OF MONEYS FROM THE FUND, TO PROVIDE FOR USE OF MONEYS AND TO REQUIRE ANNUAL REPORTING TO THE GERMANE COMMITTEES OF THE IDAHO LEGISLATURE; AND AMENDING SECTION 49-202, IDAHO CODE, TO INCREASE CERTAIN FEES AND TO PROVIDE FOR DEPOSIT OF THE ADDITIONAL REVENUE TO THE LOCAL HIGHWAY ECONOMIC INVESTMENT FUND.

**HOUSE BILL NO. 656**  
**BY HEALTH AND WELFARE COMMITTEE**  
AN ACT

RELATING TO LICENSED PASTORAL COUNSELORS; AMENDING SECTION 54-2303, IDAHO CODE, TO STRIKE REFERENCE TO PASTORAL COUNSELORS; AND REPEALING SECTION 54-3405A, IDAHO CODE, TO ELIMINATE LICENSED PASTORAL COUNSELORS.

**HOUSE BILL NO. 657**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO DISCLOSURE OF ABUSE OF CONTROLLED SUBSTANCES; AMENDING THE HEADING FOR CHAPTER 45, TITLE 54, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE CHAPTER; AMENDING SECTION 54-4501, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-4602, IDAHO CODE, TO DEFINE "EMPLOYER," TO FURTHER DEFINE THE TERM "PROVIDER" AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-4603, IDAHO CODE, TO REQUIRE PROVIDERS TO REPORT CERTAIN INFORMATION RELATING TO SUBSTANCE ABUSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 46, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-4605, IDAHO CODE, TO PROVIDE A CONTROLLED SUBSTANCE ABUSE DISCLOSURE REQUIREMENT ON EMPLOYERS OF PROVIDERS; AND AMENDING SECTION 54-4504, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 33, LAWS OF 1998, TO REDESIGNATE THE SECTION.

**HOUSE BILL NO. 658**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO MEDICAID ELIGIBILITY; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 56, IDAHO CODE, TO ADOPT THE LONG-TERM CARE PARTNERSHIP PROGRAM, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO SPECIFY THE OPERATION OF THE PROGRAM AND ESTABLISH THE PROVISIONS OF ASSET DISREGARD, TO SPECIFY TERMS OF ELIGIBILITY, TO PROVIDE ADMINISTRATION, AND TO PROVIDE NOTICE REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 659**  
**BY HEALTH AND WELFARE COMMITTEE**  
 AN ACT

RELATING TO THE IDAHO BOARD OF NURSING; AMENDING SECTION 54-1402, IDAHO CODE, TO REMOVE PHYSICIAN SUPERVISION REQUIREMENTS APPLICABLE TO CERTIFIED NURSE MIDWIVES, CLINICAL NURSE SPECIALISTS, NURSE PRACTITIONERS, AND REGISTERED NURSE ANESTHETISTS.

**HOUSE BILL NO. 660**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PUBLIC LIBRARY DISTRICTS; AMENDING SECTION 33-2710, IDAHO CODE, TO PROVIDE THAT THE DOLLAR AMOUNT OF PROPERTY

TAXES FOR A NEWLY CONSOLIDATED DISTRICT'S BUDGET SHALL NOT EXCEED ONE-TENTH PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES; AMENDING SECTION 33-2724, IDAHO CODE, TO INCREASE THE ALLOWABLE LEVY FOR THE MAINTENANCE AND OPERATION PORTION OF THE BUDGET TO A MAXIMUM OF ONE-TENTH PERCENT OF MARKET VALUE FOR ASSESSMENT PURPOSES AND TO PLACE A LIMIT ON INITIAL INDEBTEDNESS NOT TO EXCEED ONE-TENTH PERCENT ON EACH DOLLAR OF MARKET VALUE FOR ASSESSMENT PURPOSES; AND AMENDING SECTION 33-2739, IDAHO CODE, TO PROVIDE THAT A SCHOOL-COMMUNITY LIBRARY DISTRICT MAY LEVY AN ANNUAL TAX NOT TO EXCEED ONE-TENTH PERCENT OF MARKET VALUE FOR ASSESSMENT PURPOSES AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 661**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO DISSOLUTION OF HOSPITAL DISTRICTS; AMENDING SECTION 39-1325a, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE A TECHNICAL CORRECTION AND TO PROVIDE FOR AN ORDER OF DISSOLUTION SUBJECT TO CERTAIN PROVISIONS; AMENDING CHAPTER 13, TITLE 39, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 39-1325B AND 39-1325C, IDAHO CODE, TO PROVIDE FOR DISSOLUTION OF A NONFUNCTIONING DISTRICT, TO PROVIDE THE EFFECT OF DISSOLUTION OF A HOSPITAL DISTRICT AND TO PROVIDE FOR DISPOSAL OF PROPERTY AND DISTRIBUTION OF ASSETS AND NOTIFICATION OF THE STATE CONTROLLER.

**HOUSE BILL NO. 662**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PUBLIC LIBRARY DISTRICTS; AMENDING SECTION 33-2709, IDAHO CODE, TO PROVIDE THAT ANY TAX-SUPPORTED CITY LIBRARY, WHETHER CONTIGUOUS OR NONCONTIGUOUS TO A LIBRARY DISTRICT, MAY JOIN AN ESTABLISHED LIBRARY DISTRICT BY MAJORITY VOTE OF THE QUALIFIED ELECTORS OF THE CITY.

**HOUSE BILL NO. 663**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO TAXATION OF FOREST LANDS; AMENDING SECTION 63-1703, IDAHO CODE, TO PROVIDE THAT IN THE EVENT PAYMENT IS OFFERED OR MADE FOR TAXATION OF FOREST LANDS, IT SHALL BE ACCEPTED BY THE COUNTY TREASURER AND APPLIED IN THE MANNER OF PAYMENT OF OTHER PROPERTY TAX AND TO PROVIDE A CORRECT CODE REFERENCE.

**H 649, H 650, H 651, H 652, H 653, H 654, H 655, H 656,**

**H 657, H 658, H 659, H 660, H 661, H 662, and H 663** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 537, H 538, and H 567**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 487, H 488, H 489, H 490, H 491, H 492, H 493, H 494, H 495, H 496, and H 497**, by Business Committee, were read the second time by title and filed for third reading.

**H 519 and H 520**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 607**, by State Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Deal asked unanimous consent that **H 558** be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Sali asked unanimous consent that **SCR 120** be returned to the Health and Welfare Committee. There being no objection, it was so ordered.

**H 614** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 614** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 614** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 615** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(23) to open debate.

The question being, "Shall **H 615** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 615** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 486** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 486** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 486** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 498** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 498** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Pasley-Stuart, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 43.

NAYS -- Andersen, Barrett, Bauer, Bayer, Campbell, Clark, Crow, Eberle, Eskridge, Garrett, Harwood, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Sali, Schaefer, Smith(30), Smith(24), Smylie, Wills, Wood. Total -- 27.

Total -- 70.

Whereupon the Speaker declared **H 498** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 521** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**HJR 9** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kulczyk and Mr. Denney to open debate.

The question being, "Shall **HJR 9** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Roberts, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Boe, Douglas, Henbest, Jaquet, Jones, Langhorst, Martinez, Mitchell, Naccarato, Pasley-Stuart, Ridinger, Ring, Ringo, Robison, Sayler, Smith(30), Trail. Total -- 17.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, **HJR 9** passed the House. Title was approved and the resolution was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 581** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 12, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:27 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

**Adjournment**